

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LAMONTE CHERRY,

Petitioner,

-against-

GARY A. FILLION,

Respondent.
-----X

JUDGMENT
01-CV- 8240 (DGT)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ MAR 14 2006 ★

BROOKLYN OFFICE

An Order of Honorable David G. Trager, United States District Judge, having been filed on March 13, 2006, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated December 28, 2005, after an independent review of the record; denying the petition for a writ of habeas corpus; and ordering that a Certificate of Appealability shall not issue; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that the Report and Recommendation of Magistrate Judge Lois Bloom is adopted; that the petition for a writ of habeas corpus is denied; and that a Certificate of Appealability shall not issue.

Dated: Brooklyn, New York
March 13, 2006

s/Robert C. Heinemann
ROBERT C. HEINEMANN
Clerk of Court